



Testimony of Eric Gjede
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Before the Labor & Public Employees Committee
Hartford, CT
March 15, 2022

**Testifying in opposition to
HB 5444: AN ACT CONCERNING UNION WORKERS**

Good afternoon, Senator Kushner, Representative Porter, Senator Sampson, Representative Arora and members of the Labor & Public Employees Committee. My name is Eric Gjede and I am vice president of public policy for CBIA, the Connecticut Business & Industry Association.

CBIA is Connecticut's largest business organization, with thousands of member companies, small and large, representing a diverse range of industries from across the state. Ninety-five percent of our member companies are small businesses with less than one hundred employees.

CBIA opposes section 1 of HB 5444.

Section 1 duplicates aspects of federal law benefitting striking workers while omitting the aspect of the same law that protects businesses. Specifically, it adds the permanent replacement of striking workers to the list of unfair labor practices under Connecticut law.

The National Labor Relations Act already governs the conditions whereby an employer can permanently replace a striking worker and when doing so would be an unfair labor practice. For example, strikers that engage in serious misconduct during a strike may be refused reinstatement to their former jobs at the conclusion of the strike. Examples of such misconduct include, among other things, violence and threats of violence.

Further, a "sit down" strike, when employees simply stay in a plant and refuse to work, thus depriving the owner of property, is not protected by the law. HB 5444 makes no effort to distinguish between lawful or unlawful strike purposes, yet deems the permanent replacement of any striking worker, regardless of their conduct or purpose, as an unfair labor practice.

The enactment of Section 1 of HB 5444 could also result in significant safety issues. Strikes are harmful to both businesses and employees, often resulting in disruptions of services, financial strain that results in job losses, or, in the worst case, permanent business closures. If an employer has no ability to replace striking workers without the threat of increased financial liability, they may be unable to provide important products or services to individuals whose lives depend on them.

We urge the committee to take no action on HB 5444.